**DEBRA BOWEN** | SECRETARY OF STATE | STATE OF CALIFORNIA
OFFICE OF VOTING SYSTEMS TECHNOLOGY ASSESSMENT
1500 11th Street | Sacramento, CA 95814 | Tel (916) 653-7244 | www.sos.ca.gov

October 12, 2010

County Clerk/Registrar of Voters (CC/ROV) Memorandum #10295

TO: All County Clerks/Registrars of Voters

FROM: Lowell Finley
Deputy Secretary of State, Voting Systems Technology & Policy

RE: November General: EOPP and Computer Vote Count Program

In an effort to minimize the number of surveys and CC/ROVs you receive for the upcoming November 2, 2010, Statewide General Election, the Office of Voting Systems Technology Assessment (OVSTA) has combined what were previously separate CC/ROVs into one. Please note the specified dates and submit your county's information accordingly.

1) This is a reminder to submit your Election Observer Panel Plan (EOPP) to the Secretary of State prior to the November 2, 2010, Statewide General Election.

   Attached is a suggested template for an EOPP. Feel free to use it in preparing your plans for the November 2, 2010, Statewide General Election.

The Secretary would like to begin posting the EOPPs on the www.sos.ca.gov website as soon as possible. Please submit your responses to the Secretary of State by Friday, October 22.

2) This is a reminder that Elections Code section 15001 requires that our office receive by 5:00 p.m. October 26, 2010, a copy of your election computer vote count program, containing the ballot definition, for the November 2, 2010, Statewide General Election.

   If you are relying on your data processing staff, vendor, or other third party to deposit your vote count program with our office, please remind them that we must receive the program by October 26th. Submissions should be sent to the attention of Jason Heyes, OVSTA.

   If it is more convenient for you, you may transfer this data to us using the CalVoter system. To do so, please compress all your data into a single zip file, preserving file and directory names within the zip file. This single file can then be placed in the normal CalVoter outbox on the CalVoter workstation. Once you have done this, please notify Jason Heyes by email (jason.heyes@sos.ca.gov) so we can manually transfer the file over to our office.

   If the program is modified or altered after a copy is submitted to our office, we must receive a copy of the modified or altered program no later than noon on Election Day.

Submissions should be mailed to:

Jason Heyes
Office of the Secretary of State
Office of Voting System Technology Assessment
1500 11th Street, 6th Floor
Sacramento, CA 95814

Or, you can submit the information to jason.heyes@sos.ca.gov.

Please contact OVSTA at (916) 653-7244 if you have any questions about these plans.

Attachments (1)

# Election Observer Panel Plan Template

## I. County and System Information

1. Name of County
2. Name of Contact
3. Contact's Phone
4. Vendor and Voting Systems Used by County
5. Date

## II. Purpose

The purpose of an Election Observer Panel is to:

1. Provide the public with the opportunity to observe and make suggestions on ways to improve the election process.
2. Help ensure the integrity of the election process.
3. Remove some of the mystery associated with the election process in an effort to build voter confidence and encourage more people to take part.

## III. Invite

Between E-60 and E-30, prepare letters of invitation (see sample attached) to the following:

1. County Grand Jury
2. Political Party Central Committee Members
3. Advocacy Groups
4. League of Women Voters

Other groups or individuals expressing an interest in observing Election Day activities may also be included in the observer panel.

Note: You might want to consider offering to meet with groups to provide an opportunity for the group members to ask questions about the process.

## IV. Appointment Letters (for introduction to precinct workers)

After the groups have provided the names of interested panelists, prepare letters of introduction (see sample attached) for the panelist to use when visiting polling places on Election Day. Materials to be prepared for each panelist will include a listing of all polling places within the county for that specific election as well as the central counting site location and hours of operation.

## V. Mechanism for Feedback

Consider providing observers with a checklist and/or questionnaires to be completed and returned to you.

## General Rules for Observers

Observers may:

- Observe the proceedings at the polls, including the opening and closing procedures.
- Obtain information from the precinct index that is posted near the entrance.
- Make notes and watch election procedures.
- View election-related activities at the central counting site on Election Day.
- View the canvass of the vote activities following the election.
- View vote-by-mail and provisional ballot processing.
- Ask questions of poll workers or voters at the polls as long as they do not interfere with the conduct of any part of the voting process.
- Ask questions of supervisors at the central counting site as long as they do not interfere with the conduct of the election procedures.

Observers are responsible for:

- Checking in at each site, whether polling place or central counting site.
- Wearing an identification badge.
- Maintaining a professional manner while observing the election process.
- Ensuring they do not interfere with the election process.

Observers may not:

- Interfere, in the judgment of the elections official, with the conduct of the election.
- Physically handle any voting materials or equipment.
- Sit at the official worktables or view confidential voter information on any work terminal.
- Communicate with voters (within 100 feet of the entrance to a polling place) regarding the casting of a vote, or speak to a voter regarding his or her qualifications to vote.
- Display any election material or wear campaign badges, buttons or apparel.
- Wear the uniform of a peace officer, a private guard, or security personnel.
- Use cellular phones, pagers, or two-way radios inside the polling place and/or within 100 feet of the entrance to the polling place.
- Talk to or attempt to stop the central counting site workers while they are processing ballots.
- Use the telephones, computers or other polling place facilities at polling places or the central counting site.
- Make physical contact with election personnel.
- Eat or drink in the polls or the central counting site.
- Assist in operations at any polling place or the central counting site.

**SAMPLE LETTER OF INVITATION**

Date (E-60 to E-30)

Dear *XXX*:

The Department of Elections will convene an Election Observer Panel to observe activities associated with the *XXX* Election, which will be held on *XXX* date. Representatives of political party county central committees, advocacy groups, the League of Women Voters, and the County Grand Jury will be invited to participate.

Typically, members of the Panel visit one or more polling places on Election Day and then visit the ballot counting center to observe the tabulation of ballots on election night. Panel members are also invited to observe the processing of vote-by-mail ballots at the Department of Elections. Members of the Panel will be provided with the information they need to participate in these activities.

If your organization would like to be represented on the Election Observer Panel, please notify *XXX* by mail, by phone at *xxx-xxxx,* or by email at *XXX*. Please respond by *XXX* date, with the name of your representative. *XXX* will be available to meet with Panel members to explain their role in greater detail and to provide them with the information they will need.

Thank you for your interest in participating in our electoral system.

Sincerely,

*XXX*
Registrar of Voters/County Clerk

**SAMPLE LETTER OF INTRODUCTION**

Date (no later than E-5)

TO: Precinct Inspectors

FROM: *XXX*
Registrar of Voters/County Clerk

SUBJECT: ELECTION OBSERVER PANEL

This letter introduces *XXX,* whom I have appointed to the Election Observer Panel for the *XXX* election. Members of the Election Observer Panel are invited to observe activities related to the administration of an election, including visiting polling places.

No person, including a member of the Election Observer Panel, may interfere with the operation of polling places. *XXX* and other members of the Election Observer Panel may ask you to explain certain operations and procedures. Please extend every courtesy to *XXX*.

If you have any questions, please call me at *xxx-xxxx*.

Thank you for your cooperation and your service to our county's voters.